

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

10/3/03

SUBJECT: Approval of Total Daily Maximum Loads (TMDLs) for
Organics and Metals in the Anacostia River and Tributaries

FROM: Thomas Henry, Program Manager
TMDL Program (3WP12)

TO: Jon M. Capacasa, Director
Water Protection Division (3WP00)

THRU: Dominique Luechenhoff, Acting Associate Director
Office of Watersheds (3WP10)

Your signature on the attached approval letter and decision rationale is requested.

1. The decision rationale for the Anacostia River Watershed TMDLs for Organics and Metals was approved August 29, 2003, to meet the consent decree requirements. The decision rationale did not include all of the TMDL tables.
2. The submitted final TMDL Report did not make explicit distinctions between WLA and LAs for storm water loads, and did not explicitly separate out individual TMDLs for upper and lower Anacostia River. The Report along with the supporting documentation contained adequate information to identify those the implicit sources and allocations for each pollutant. EPA's August 29, 2003 Decision Rationale included TMDL tables for pollutants only for the pollutant arsenic. Today's amended approval includes the arsenic tables as well as TMDL tables for all other pollutants covered by these TMDLs (except PCBs, see below).
3. In completing the TMDL tables, it was disclosed that the District made a zero allocation to Maryland for PAHs, down from the one percent allocations made in the draft TMDL. When EPA demonstrated that a 0.4 percent allocation and when evaluating the groups of PAHs against their class criterion instead of evaluating total PAHs against the most stringent class criterion, water quality criteria would be met, the District reconsidered Maryland's allocation and sent a revised TMDL via e-mail on 9/24/03.
4. In addition to the tables, EPA also made minor editorial corrections of the August 29 approval as well as adding several additional sentences to further explain certain issues.
5. TMDLs Approved - The TMDLs represent 20 individual TMDLs for organics and metals for the Anacostia River mainstem and 58 individual TMDLs for the tributaries. Pollutants include arsenic, lead, copper, zinc, chlordane, DDD, DDE, DDT, Dieldrin, heptachlor epoxide, PAHs, and PCBs.
6. Affected Parties - WASA, as the party responsible for the District's storm water and sanitary sewers is principally affected by these TMDLs. WASA's recommended LTCP conforms to these TMDLs. In addition, all storm water permittees within the District's portion of the watershed are affected.
7. Significant Issues - TMDLs are to achieve and maintain water quality standards, however, the TMDL Report does not make the demonstration that PCB criterion will be achieved because of the very low criterion and difficulty in getting analytical results with sufficient low detection limits. The District believes a sediment management plan (in the Anacostia River) will achieve standards. It is unknown how the plaintiffs will react to this.